

ORIGINAL

Serial No. 49183

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office. JUN 12 1985Returned to applicant for correction. JUN 24 1985Corrected application filed. Map filed SEP 10 1985The applicant ROBERT O. & ELAINE W. BURNHAMDIAMOND VALLEY RT. BOX 33 of EUREKA
Street and No. or P.O. Box No. City or TownNV 89316 hereby make application for permission to change the
State and Zip Code No.POINT OF DIVERSION & PLACE OF USE OF A PORTION
Point of diversion, manner of use, and/or place of useof water heretofore appropriated under PERMIT 40401
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.)

1. The source of water is UNDERGROUND
Name of stream, lake, underground spring or other source.2. The amount of water to be changed 0.29 C F S
Second feet, acre feet. One second foot equals 448.83 gallons per minute.3. The water to be used for IRRIGATION
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.4. The water heretofore permitted for IRRIGATION
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.5. The water is to be diverted at the following point SE $\frac{1}{4}$ NE $\frac{1}{4}$ OF SEC. 6., T. 21 N.,
Describe as being within a 40-acre subdivision of public survey and by course and
R. 53 E., M.D.B. & M. OR AT A POINT FROM WHICH THE NW CORNER OF
distance to a section corner. If on unsurveyed land, it should be stated.SAID SEC. 6 BEARS N 75° 17' W A DISTANCE OF 4077.08 FEET6. The existing permitted point of diversion is located within SE $\frac{1}{4}$ SW $\frac{1}{4}$, SEC. 29, T 23 N,
If point of diversion is not changed, do not answer.R 54 E., M.D.B. & M. OR AT A POINT FROM WHICH THE SW CORNER OF SAIDSEC. 29 BEARS S 49° 30' W A DISTANCE OF 1861.20'7. Proposed place of use 17.16 ACRES IN THE NE $\frac{1}{4}$, SEC. 6., T. 21 N.,
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.R 53 E., M D B & M8. Existing place of use 8.58 ACRES SE $\frac{1}{4}$ SE $\frac{1}{4}$, 8.58 ACRES NE $\frac{1}{4}$ SE $\frac{1}{4}$ OF SEC. 29
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/orT. 23 N., R. 54 E., M.D.B. & M.

manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from JAN 1 to DEC 31 of each year.
Month and Day Month and Day10. Use was permitted from JAN 1 to DEC 31 of each year.
Month and Day Month and Day11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.) WELL, PUMP & SPRINKLER SYSTEM.
State manner in which water is to be diverted, i.e. diversion structure, ditches,

pipes and flumes, or drilled well, etc.

12. Estimated cost of works. \$50,00013. Estimated time required to construct works. 3 YEARS

14. Estimated time required to complete the application of water to beneficial use.....5 YEARS

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

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By S/Katherine A. Rice
P.O. Box 130
SMITH, NV 89430

Compared mc/se js/bc

Protested.....

.....APPROVAL..... OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 40401 is issued subject to the terms and conditions imposed in said Permit 40401 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed.....0.29.....cubic feet per second, but not to exceed 68.84 acre-feet annually, but not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before.....January 8, 1987

Proof of completion of work shall be filed before.....February 8, 1987

Application of water to beneficial use shall be made on or before.....January 8, 1989

Proof of the application of water to beneficial use shall be filed on or before.....February 8, 1989

Map in support of proof of beneficial use shall be filed on or before.....February 8, 1989

Completion of work filed..... IN TESTIMONY WHEREOF, I.....PETER G. MORROS
State Engineer of Nevada, have hereunto set my hand and the seal of

Proof of beneficial use filed..... my office, this.....8th.....day of.....January.....


Cultural map filed.....

A.D. 19.....86.....

Certificate No.....Issued.....


State Engineer

CANCELLED SEP 13 1991 BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

 STATE ENGINEER